

Legislative Letter

League of Women Voters of Colorado

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March 5, 2018

LL#4:1

Colorado's Risk-Limiting Election Audits Blaze a Trail for Other States

Voters everywhere want to be confident that reported election results are correct. Colorado's paper ballots help to reassure voters that our elections won't be hacked, but most counties still use machines to tabulate the paper ballots. Machines can be hacked or may misinterpret voters' ballot marks. Post-election audits should be routinely conducted to find any intended or unintended errors in the tabulation process before certifying an election outcome.

Traditionally, audits have looked at a fixed percentage of ballots or a fixed number of ballots, or the predetermined sample sizes have been dependent on the reported margin of victory. These sample sizes are almost invariably too small to yield conclusive evidence or too large and thus require extra work for often overburdened and underfunded elections staff.

In 2017 the Colorado Secretary of State oversaw its first "statewide" risk-limiting audit (RLA) with 56 of 64 counties participating. As the 2009 [LWVUS Report on Election Auditing](#) notes, "Best practices say to use a "risk-limiting" approach in which all decisions are made in such a way as to minimize the risk of confirming an outcome that is, in fact, wrong." An RLA uses statistics to check just enough voted ballots to get strong evidence that the election outcome is correct. If discrepancies are discovered during the audit, one or more additional rounds of ballots may need to be audited, possibly leading to a full hand recount (under best practices) to reveal the correct outcome.

Within the Code of Colorado Regulations Rule 25 (Post-election audit) is the statement, "In comparison audits the risk limit will not exceed five percent for statewide contests, and ten percent for countywide contests." The smaller the risk limit, the greater the number of audited ballots. In 2017 this limit was set at 9% meaning that there was, *at most*, a 9% risk that the audit would confirm an incorrect election outcome.

County clerks across the state have worked since 2007 to implement and codify RLA. New tabulation machines were purchased which produce cast vote records (CVRs) showing the machine interpretation of each ballot. After Election Day 2017 but prior to the audit, the Secretary of State chose a targeted contest in each of

the 56 counties. At a public ceremony, attendees rolled 10-sided dice to generate a random number which determined which ballots would be audited. During the RLA, the bipartisan Audit Boards in each county compared the selected paper ballots to the CVRs.

Colorado presented a documentary on its RLA process at the recent National Association of Secretaries of State and released [the video on YouTube](#) on March 2nd. As Columbia University's Mark Lindeman says in the video, "Colorado is really putting a marker in the ground that election outcomes should be verified and can be verified ... It's going to take more work, even in Colorado, but parts of that model can roll out to other states really quickly."

As Colorado prepares for an election in 2018, which includes statewide and federal contests, the Secretary of State is proposing RLA rules changes. The Secretary of State is juggling best practices, election administrators' concerns about workload, and an RFP for software to audit elections that cross county boundaries. LWVCO wants Colorado's model to be as exemplary as possible with independent authorities overseeing the election, better audit transparency and audits of more contests. The LWVCO submitted written comments and testified at the March 2nd hearing. [Rulemaking comments will be accepted through March 9th](#).

Celeste Landry 303.440.4395

GOVERNMENT

ELECTIONS

SPECIAL DISTRICT ELECTIONS CHANGE ON WAY TO GOVERNOR

HB 1039 Change Date of Regular Special District Elections (Rep. Ransom and Coleman; Sen. Gardner) (support) was scheduled to be heard in Senate State Affairs on February 21st. The Chair, indicating that the Committee intended to pass the bill, asked if those in attendance would be willing not to testify. The Committee then referred it to the Committee of the Whole with a recommendation that it be placed on the consent calendar, where it passed Third Reading unanimously on February 27.

Previously reported: [LL#1, p. 7](#); [LL#2, p. 2](#); [LL#3, p. 2](#).

ELECTION LEAVE BILL KILLED

HB 1033 Employee Leave to Participate in Elections (Rep. Weismann; Sen. Coram) (support) Amended in committee to allow leave

one time only, the bill was heard in Senate State Affairs on February 28th and PI'd on a [3-2](#) vote.

Previously reported: [LL#1, p. 7](#); [LL#2, p. 2](#); [LL#3, p. 2](#).

Both reported by Carol Tone 303.884.8429

GUN SAFETY

CONCEALED CARRY MOVES ON

NEW **SB 97 Concealed Handgun without a Permit (Sen. T. Neville; Rep. Van Winkle) (oppose)** would repeal the requirement for a permit to carry a concealed weapon. Anyone who could legally purchase a handgun would be able to carry the weapon concealed. Requirements for background checks, training classes, and the sheriff's or police chief's discretion would be eliminated. A sheriff or police chief who issues permits often have information that does not show up in the CBI background check, behavior such as drug and alcohol problems, a troublemaker who has assaulted others, the domestic abuser whose victim refuses to testify, or behavior that suggests mental instability. Under SB 97 all these people would be able to carry a concealed, loaded weapon.

The bill was heard in Senate State Affairs on February 14th. (As we waited for the committee hearing to begin, we received word of the Florida school shooting.) Testifying was one man who wanted to carry a hidden, loaded gun and thought he shouldn't need a permit. He admitted that he had been arrested for assault after getting in a scuffle at the Martin Luther King parade. As a result, he did jail time. The charges were eventually dropped. Now the sheriff won't issue him a CCW permit. (Maybe a few more scuffles on his record?)

SB 097 passed Senate State, Veterans, and Military Affairs on a vote of [3-2](#) and was assigned to Appropriations where it passed [4-3](#) on February 27th.

INCREASED JAIL FOR STEALING GUNS

HB 1077 Penalty for Burglary of Firearms (Reps. Liston & Valdez; Sen: None) (support in part) will increase the penalty for firearm theft. It was heard on Feb. 15th in House State, Veterans, and Military Affairs, passed on a vote of [7-2](#), and passed to Appropriations. Reps. Melton and Benavidez voted No because of concern over raising penalties and felt other avenues of prevention should be tried first. One person testified that gun shops should be more responsible for locking up guns.

Previously reported: [LL#2, p. 4.](#)

“MAKE MY DAY” ISN'T FOR BUSINESSES

NEW **HB 1074 Deadly Force against Intruder at a Business (Rep. Everett; Sen. Marble) (oppose)** justifies the use of physical force, including deadly force, when a person has made an unlawful entry into a business if an owner, manager or employee in the business has a reasonable belief that the person has committed or intends to commit a crime against a person or property in the business AND has reasonable belief that the person might use physical force, no matter how slight, against any occupant of the building. The person responding with physical force is granted immunity from prosecution.

This same bill has been introduced and defeated repeatedly over the past 12 years. The sponsors declared they intend to continue bringing the bill back each year. HB 1074 was heard on February 21 in House, State, Veterans and Military Affairs and defeated on a vote of [6-3](#).

MAGAZINE LIMITS UPHELD SO FAR

HB 1015 Repeal Ammunition Magazine Prohibition (Reps. Humphrey & Saine; Sen. Hill) (oppose) would repeal the 15-round limit for firearm magazines and the requirement that each large-capacity magazine manufactured in Colorado on or after July 1, 2013 include a permanent stamp or marking indicating the magazine was manufactured after July 1, 2013. League supports the law this bill would repeal.

Supporters claimed Second Amendment Rights. Opponents cited the Heller Decision that held with rights there can be regulations. Supporters claimed they need more weapon power to defend themselves. Opponents said the bill also could provide perpetrators with more firing power and that the NRA has claimed that just the sight of a gun can stop a perpetrator and if the gun is fired, it's usually 1-3 shots. Opponents pointed to the 14-year failure of this same bill. Sponsors stated they will continue bringing the bill. Assigned to House State, Veterans and Military Affairs, the bill was heard on February 21. It was PI'd on a vote of [6-3](#).

Previously reported: [LL#2, p. 4.](#)

SB 52 Repeal Ammunition Magazine Prohibition (Sen. Hill; Reps. Humphrey & Saine) (oppose) is identical to the bill above. SB 52 is scheduled for a hearing in the Senate State, Veterans & Military Affairs Committee on March 19.

Previously reported: [LL#2, p. 3.](#)

OUTLAW BUMP STOCKS

SB 51 Crimes Related to Multi-Burst Trigger Activators (Sen. Merrifield; None) (support). Senator Merrifield's bill will prohibit the purchase and sale of these devices in Colorado. Violation will be a Class 5 felony which could result in a five-year

prison term. The bill will be heard in Senate State, Veterans & Military Affairs on Monday, March 19.

Previously reported: [LL#2, p. 3.](#)

All reported by Jean Grattet 303.573.7942

NO CONCEALED GUNS IN SCHOOLS

On Feb. 21, after close to five hours of testimony overwhelmingly opposed to the bill, **HB 1037 Concealed Handguns on School Grounds (Rep. P. Neville; Sen. T. Neville) (oppose)** was PI'd in House Education Committee on a vote of [6-3](#). Objection to the bill came from students, parents, pediatricians, the Colorado Education Association, the Colorado PTA, and gun owners, as well as gun safety organizations and LWVCO.

Previously reported: [LL#1, p. 7](#); [LL#2, p. 3.](#)

Sally Augden 303.455.5800

JUSTICE SYSTEM

SHORTENING MANDATORY PAROLE

HB 1029 LOWERING MANDATORY PAROLE FROM 5 YEARS TO 3 YEARS (Rep. Weissman; Sen. Lundberg) (support) passed 3rd Reading in the House on February 27th on a 49-15-1 vote.

Previously reported: [LL#1, p. 7](#); [LL#2, p. 4.](#)

Jean Fredlund 303.428.5420

Lucinda Schneller 720.254.5741

House Vote

YES	49	NO	15	EXCUSED	1	ABSENT	0
Arndt	Y	Foote	Y	Leonard	N	Rosenthal	Y
Becker J.	N	Garnett	Y	Lewis	N	Saine	N
Becker K.	Y	Ginal	Y	Liston	Y	Salazar	E
Beckman	N	Gray	Y	Lontine	Y	Sandridge	N
Benavidez	Y	Hamner	Y	Lundeen	Y	Sias	Y
Bridges	Y	Hansen	Y	McKean	N	Singer	Y
Buck	Y	Herod	Y	McLachlan	Y	Thurlow	Y
Buckner	Y	Hooton	Y	Melton	Y	Valdez	Y
Carver	Y	Humphrey	N	Michaelson	Y	Van Winkle	N
Catlin	Y	Jackson	Y	Neville P.	Y	Weissman	Y
Coleman	Y	Kennedy	Y	Pabon	Y	Willett	Y
Covarrubias	N	Kraft-Tharp	Y	Pettersen	Y	Williams D.	N
Danielson	Y	Landgraf	Y	Rankin	Y	Wilson	Y
Esgar	Y	Lawrence	N	Ransom	N	Winter	Y
Everett	N	Lebsock	Y	Reyher	N	Wist	Y
Exum	Y	Lee	Y	Roberts	Y	Young	Y
						Speaker	Y

JUVENILE JUSTICE

JUVENILE DATA BILL WILL GO TO GOVERNOR

HB 1010 DHS Report Data & Add Members to Working Group (Reps. Lee and Wilson; Sen. Coram) (support) requires the Department of Human Services to report specified data concerning juveniles who were committed to the Division of Youth Services, completed their sentences, and have been discharged from DYS supervision. It also adds the Colorado Child Protection Ombudsman and a parent to the youth restraint and seclusion working group.

On February 27 the bill passed 3rd Reading in the Senate by a vote of 31-3-1 and will be sent to the governor for his signature.

Previously reported: [LL#2, p. 4.](#)

Carla Bennett 303.757.2930

Senate Vote

YES	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

CROSSOVER YOUTH BILL PASSES SENATE

SB 154 Juvenile Planning Committee Crossover Youth Plans (Sen. Fields; Rep. Salazar) (support) requires local juvenile services planning committees to create a plan for managing crossover youth. It passed unanimously out of Senate Judiciary on February 12. On February 16 it passed 3rd Reading in the Senate again by a unanimous vote. It has been assigned to House Judiciary.

Previously reported: [LL#2, p. 5.](#)

Carla Bennett 303.757.2930

TRANSPORTATION

SB 001 Transportation Infrastructure Funding (Sens. Baumgardner & Cooke; Rep. Buck)

(watch) was heard in the Senate Finance Committee on March 1 and was referred, unamended, to the Senate Committee on Appropriations on a vote of [4-1](#).

Previously reported: [LL#2, p. 5](#).

Andrea Wilkins 303.521.1759

NATURAL RESOURCES

ENERGY

CONTINUATION OF STATE ENERGY OFFICE

SB 3 Colorado Energy Office (Sen. Scott) (Reps. Hansen & J. Becker) (support in part) amends 2012 legislation that reorganized the Governor’s Energy Office. We support the continuation of the Energy Office but do not support including the promotion of fossil fuels in the office’s charter. These are well established and mature industries that receive significant federal financial incentives and do not need additional promotion that will likely dilute the Energy Office’s work on renewable energy and energy efficiency. There were minor amendments to the bill before it was passed in the Senate on a 34 to 1 vote (Jones voting No). It has been assigned to the House Transportation & Energy Committee.

Previously reported: [LL#2, p. 6](#).

Sigrid Higdon 303.233.8111

BATTERIES ADVANCE

SB 9 Allow Electric Utility Customers Install Energy Storage Equipment) (Sen. Fenberg & Priola; Rep. Winter & Lawrence) (support) This bipartisan bill declares that consumers have a right

to install, interconnect and use energy storage systems. It passed the House Transportation & Energy Committee on a vote of [10-3](#) and was sent to the full House unamended. It passed Second Reading on Feb. 26 and at present has been laid over three times and awaits a final vote.

Previously reported [LL#1, p. 9](#); [LL#2, p. 7](#); [LL#3, p. 4](#).

Amy Sherwood 847.239.0236

ELECTRIC PREWIRING ADVANCES

HB 1107 Prewire Residence for Electric Vehicle Charging Port (Rep. Weisman; Sen. Priola)

(support) This bill requires that a home builder offer the buyer the opportunity to have the electric system include either: an electric vehicle charging system, an upgrade of wiring for future installation, or a constructed chase or conduit for ease of future installation.

The bill passed the House Transportation & Energy Committee on an [8-5](#) vote on Feb 8. It passed Third Reading on Feb. 14 on a 34-28-3 vote. It was introduced in the Senate on Feb 21 and assigned to the Senate Transportation Committee.

Previously reported: [LL#2, p. 7](#).

Amy Sherwood 847.239.0236

House Vote

	YES	34	NO	28	EXCUSED	3	ABSENT	0
Arndt	Y		Foote	Y	Leonard	N	Rosenthal	Y
Becker J.	N		Garnett	Y	Lewis	E	Saine	N
Becker K.	Y		Ginal	Y	Liston	N	Salazar	Y
Beckman	N		Gray	Y	Lontine	Y	Sandridge	N
Benavidez	Y		Hamner	Y	Lundeen	N	Sias	N
Bridges	Y		Hansen	Y	McKean	N	Singer	Y
Buck	N		Herod	Y	McLachlan	Y	Thurlow	N
Buckner	Y		Hooton	E	Melton	Y	Valdez	Y
Carver	N		Humphrey	N	Michaelson	Y	Janet	Y
Catlin	N		Jackson	Y	Neville P.	N	Weissman	Y
Coleman	Y		Kennedy	Y	Pabon	Y	Willett	N
Covarrubias	N		Kraft-Tharp	Y	Petersen	Y	Williams D.	N
Danielson	Y		Landgraf	N	Rankin	N	Wilson	N
Esgar	Y		Lawrence	N	Ransom	N	Winter	E
Everett	N		Lebsock	N	Reyher	N	Wist	N
Exum	Y		Lee	Y	Roberts	Y	Young	Y
							Speaker	Y

ENVIRONMENTAL QUALITY

PUBLIC PROTECTIONS ADVANCE

HB 1071 Regulate Oil Operators Protect Public Safety (Sen. Moreno; Rep. Salazar) (support)

This bill clarifies that the Colorado Oil and Gas Conservation Commission is required to regulate oil and gas operations consistent with the public health, safety and welfare, including the protection of the environment and wildlife resources.

The bill passed Third Reading with a 34-30 vote. It was introduced in the Senate and assigned to the Senate Agriculture, Natural Resources & Energy Committee for a March 7 hearing.

Previously reported: [LL#2, p. 7.](#)

Amy Sherwood 847.239.0236

House Vote

YES	34	NO	30	EXCUSED	1	ABSENT	0
Arndt	Y	Foote	Y	Leonard	N	Rosenthal	Y
Becker J.	N	Garnett	Y	Lewis	N	Saine	N
Becker K.	Y	Ginal	Y	Liston	N	Salazar	Y
Beckman	N	Gray	Y	Lontine	Y	Sandridge	N
Benavidez	Y	Hamner	Y	Lundeen	N	Sias	N
Bridges	Y	Hansen	Y	McKean	N	Singer	Y
Buck	N	Herod	Y	McLachlan	Y	Thurlow	N
Buckner	Y	Hooton	Y	Melton	Y	Valdez	Y
Carver	N	Humphrey	N	Michaelson	Y	Van Winkle	N
Catlin	N	Jackson	E	Neville P.	N	Weissman	Y
Coleman	Y	Kennedy	Y	Pabon	N	Willett	N
Covarrubias	N	Kraft-Tharp	N	Pettersen	Y	Williams D.	N
Danielson	Y	Landgraf	N	Rankin	N	Wilson	N
Esgar	Y	Lawrence	N	Ransom	N	Winter	Y
Everett	N	Lebsock	Y	Reyher	N	Wist	N
Exum	Y	Lee	Y	Roberts	Y	Young	Y
						Speaker	Y

SOCIAL POLICY

CHILDREN'S ISSUES

CHILDREN'S TRUST FUND BILL DIES IN SENATE

HB 1044 Colorado Children's Trust Fund Act (Rep. Kraft-Tharp; Sen. Priola) (support) was PI'd in Senate State, Veterans, and Military Affairs on February 26 by a vote of [3-2](#). The bill would have increased the size of the Children's Trust Fund

Board and expanded the powers and duties of the board.

Previously reported: [LL#1, p. 10](#); [LL#2, p. 9](#).

Carla Bennett 303.757.2930

EDUCATION

NO TAX DEDUCTIONS FOR K-12 PRIVATE SCHOOL TUITION

Since 1978, the League of Women Voters has had a position opposing vouchers or tax credits for private school tuition. The League strongly supports public schools and their mission of educating all of our children and providing equitable and adequate funding for doing so. **NEW** **HB 1221 Income Tax Deduction for 529 Acct K-12 Expenses (Rep. Leonard; Sen. Neville) (oppose)** would essentially subsidize a part of a family's expenses for tuition to private schools by reducing state tax revenue. This bill aligns the state's tax laws with the federal law passed in 2017 allowing such contributions.

NEW On the other side of the fence, **HB 1209 No 529 Account Income Tax Deduction for K-12 Kindergarten through Twelfth Expenses (Reps. Pettersen & Garnett; none) (support)** would amend Colorado law to ensure that Colorado would NOT allow the deduction for private school tuition. League supports this bill.

The original League position was taken in response to efforts of families attempting to avoid the desegregation of public schools in the 70s. The League supports equal access to education and supports desegregation as a means of promoting equal access. Given that our schools are now as (or even more) segregated as they were in the 60s, we stand opposed to efforts to continue this trend.

Both bills are scheduled for hearing this Wednesday, March 5 at 1:30 p.m. in House Education Committee.

Sally Augden 303.455.5800

LOCAL CONTROL PI'd

SB 118 Local School Board Authority over Charter Schools (Sen. Merrifield; Rep. Arndt) (support) was PI'd in the Senate Education Committee on a vote of [4-3](#) on Feb. 21.

Previously reported: [LL#2, p. 9.](#)

Sally Augden 303.455.5800

HELP THE WEALTHY PAY FOR PRIVATE SCHOOLS?

NEW SB 83 Education Income Tax Credits for Nonpublic School (Sen. Lundberg; Rep. Ransom) (oppose) This bill establishes non-refundable (only available to those who pay state income taxes) income tax credits for a dependent's private school tuition or for scholarships provided on behalf of a qualified student to attend private school. The bill also includes a tax credit for qualified students who use home-based education.

The League of Women Voters opposes private tuition tax credits based on a nationwide goal of equitable educational opportunity. Quality public education is essential for a strong, sustainable democracy, and equal access is a civil right. Tuition tax credits undermine public education by encouraging flight. They disproportionately benefit the wealthy who can afford private schooling. Most private schools cost much more than a tax credit would provide, and there are additional transportation costs, leaving behind those students in the greatest financial need.

Equitable access is further undermined by the fact that public schools are tasked with the expensive job of educating handicapped students. Private schools are not. Finally, tuition tax credits may indirectly provide financial support to faith-based schools, violating the prohibition on public financial aid to religious institutions.

The bill was assigned to Senate Finance and Appropriations. It passed Finance Feb. 6 on a vote

of [3-2](#) and is on to Appropriations. It has not yet been calendared.

Gail Nuth and Sally Augden 303.455.5800

EQUAL OPPORTUNITY

STATUS OF CIVIL RIGHTS COMMISSION CAUSES CONTROVERSY

NEW HB 1256 Sunset Continue Civil Rights Division & Commission (Rep. Duran; Sen. Gardner) (support) was introduced in the House on February 23 and implements the recommendations of the sunset review conducted by the Colorado Department of Regulatory Agencies that the Civil Rights Division and Commission continue its functions through September 1, 2027. The Division and Commission is responsible for enforcing the state's anti-discrimination laws and provides essential protections for our state's citizens. Controversy erupted last month when the JBC failed to provide funding for the Division and Commission for FY 2018-19, effectively cutting off funding as of July 1, 2018. Since then, the House Judiciary Committee conducted hearings on February 13 and 20 in which recommendations of the sunset review were presented and considered. A hearing on the bill has yet to take place.

Andrea Wilkins 303.521.1759

HIGHER EDUCATION

SUPPORT FOR STUDENTS IN POSTSECONDARY

NEW HB 1034 Career and Technical Education Capital Grant Program (Reps. Covarrubias & McKean; Sen. Priola) (Support) This bill creates a career and technical capital grant program in the Department of Labor and Employment. It proposes that the State Workforce Development Council award grants through program areas in technical colleges, school districts, and community colleges to use for equipment, construction or maintenance of buildings related to career and technical education. Priority will be given to applicants in rural areas of the state and those who have

demonstrated need. For each year grants are awarded, the state council is required to publish a report that identifies the grant recipients and how the money was spent. The fiscal note is for an appropriation of \$10 million for each year from 2018-20 to the Colorado Department of Labor & Employment that includes 1.8 FTE.

This bill was heard in the House Education Committee on February 26. Statistics used in the testimony indicated that for 63,000 students that graduate from high school, six years after graduation only 14,000 have some degree or certification and 44,800 have no kind of credential. There is a need to expand current Career and Technical Education programs by expanding facilities and updating equipment for programs, especially in rural areas of the state. Amendments to the bill included better defining the apprentice program, expansion of the language in the bill to include all local district colleges and providers in Colorado and to design an evaluation matrix for the grants awarded. Concerns were discussed about the costs of the program and where the money should come from, but committee members felt this was an important issue that needs to be addressed.

The amended bill was passed by a vote of [10-2](#) and referred to House Appropriations.

NEW SB 087 In-State Tuition Foreign National Settled in Colorado (Sen. Fenberg; None) (support) This bill would allow immigrants admitted under the following federal regulations and settled in Colorado to be eligible for instate tuition:

- Refugees and emergency situation refugees;
- Special immigrant status for citizens of Afghanistan and Iraq who are or were employed by the U. S. Government;
- Special immigrant status for persons serving as translators with the U. S. Armed Forces in Iraq or Afghanistan.

This bill was introduced in the Senate and heard in the State, Veterans & Military Affairs Committee on February 5 where it was unanimously referred to the Committee of the Whole and placed on the consent calendar.

From October 2016 to January 2018, 17,173 refugees and special immigrant visa holders have been placed in Colorado. Of those, 868 are special immigrant visa holders from Afghanistan and 634 are special visa holders from Iraq. These immigrants have risked their lives for our country and put their families in danger. As a result, they have had to leave their home countries. Many are in low-paying jobs and need access to higher education to obtain or finish degree programs to improve their economic situations.

The bill passed Third Reading in the Senate unanimously on February 9 and was introduced in the House and assigned to the Education Committee on February 14.

SB 85 Financial Incentives for Education in Rural Areas (Sen. Todd & Rep. McLachlan) This bill expands an existing program by the department of higher education. It would expand eligibility and the number of financial stipends of \$6,000 each from 20 to 60, in order to increase the supply of teachers and staff in rural schools. The stipends are given annually to teachers in rural school districts who are seeking certain certifications, completing an alternative teacher education program or needing professional development through continuing education. The person who receives this stipend must remain employed with the school district or BOCES for a minimum three years. The fiscal note is \$240,000.

Rural school districts are struggling to recruit and retain adequate faculty and staff for their schools. All students in Colorado should have the opportunity for the best education possible. There is a shortage of teachers in critical subject areas (math, science, special education, second language learning) and in support services (school psychologist, speech pathologists and school counselors). The bill was heard in the House Education Committee on February 2. There was much discussion on the best way to address the shortage of teachers and support personnel. Not all agreed this was the only approach to dealing with this situation. An amendment to the bill clarified that moneys could not be spent on continuing

education credits required by education labor unions.

The amended bill passed the committee by a vote of [5-1](#) and it was referred to Senate Appropriations.

Previously Reported: [LL#1, p. 11.](#)

Barbara Whinery 970.353.6731

INCOME ASSISTANCE

SB 7 Affordable Housing Tax Credit (Sens. Tate & Guzman; Reps. J. Becker & Duran) (watch) passed 3rd Reading in the Senate on Feb. 22 and was introduced in the House and assigned to the Committee on Finance. A hearing has not yet been scheduled.

Previously reported: [LL#2, p. 11.](#)

Andrea Wilkins 303.521.1759

Senate Vote

YES	25	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	*	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

HEALTH CARE

HB 1149 Sunset Continue Insurance Council (Reps. Kennedy; Sen. T. Neville) (support) was heard in the House Health, Insurance & Environment Committee on February 22 and was referred to the Committee on Appropriations on a

vote of [9-4](#). The next hearing has not yet been scheduled.

Previously reported: [LL#2, p.10.](#)

Andrea Wilkins 303.521.1759

REPRODUCTIVE FREEDOM

TWO RESTRICTIVE BILLS GO DOWN IN COMMITTEE

Two perennial measures intended to restrict access to abortion were defeated in House Health, Insurance & Environment Committee on Feb. 23.

NEW **HB 1082 A Woman’s Right to Accurate Health Care Information (Rep. Saine; Sen. Marble) (oppose)** was intended to protect against women’s “uninformed decisions” (i.e., to choose abortions) by requiring doctors to follow specific protocols in language and care. As before, the Attorney General would have created and enforced rules. It was PI’d on a [7-6](#) vote.

NEW **HB 1225 Protect Human Life at Conception (Rep. Humphrey; Sen. Lundberg) (oppose)** was an attempt to criminalize abortion with a Class 1 felony for the provider. It was PI’d on a [7-6](#) vote.

The League supports an individual’s privacy in making reproductive health care decisions, as provided by the U.S. Constitution, and therefore opposed those two intrusive measures.

Leslie Chomic 303.863.0437

STATUS SHEET

The Status Sheet is a regularly updated list of bills being followed by Legislative Action Committee members. New bills are in **boldface**.

S=Support O=Oppose SIP=Support in Part OIP=Oppose in Part W=Watch or Monitor

Policy Area	S/H	Bill #	Bill Title	S/O	LL#	Status
Behavioral Health	SB	22	Clinical Practice For Opioid Prescribing	W	1,3	H-HIE
Behavioral Health	SB	24	Expand Access Behavioral Health Care Providers	S	1,3	S-App
Behavioral Health	HB	1003	Opioid Misuse Prevention	S	1	H-PHC
Behavioral Health	HB	1007	Substance Use Disorder Payment & Coverage	S	1	H-PHC
Children's Issues	HB	1044	Colorado Children's Trust Fund Act	S	1,2,4	PI'd
Education	SB	4	Funding For Full-day Kindergarten	S	1,2	PI'd
Education	SB	83	Education Income Tax Credits For Nonpublic School	O	4	S-App
Education	SB	118	Local School Board Authority Over Charter Schools	S	2,4	PI'd
Education	HB	1088	Funding For Full-day Kindergarten	S	1	H-App
Education	HB	1209	No 529 Acct Income Tax Deduction For K-12 Expenses	S	4	H-Ed
Education	HB	1221	Income Tax Deduction For 529 Acct K-12 Expenses	O	4	H-Ed
Education	HB	1232	New School Funding Dist. Formula	S	3	H-ED
Elections	HB	1033	Employee Leave To Participate In Elections	S	1,2,3	PI'd
Elections	HB	1039	Change Date Of Regular Special District Elections	S	1,2,3,4	To Gov
Energy	SJM	2	Eliminate Energy Subsidies	S	2,4	PI'd
Energy	SB	3	Colorado Energy Office	W	2,4	H-Trans
Energy	SB	9	Allow Elec Util Cust Install Energy Storage Equip	S	1,3,4	H-3rd Rdg
Energy	SB	47	Repeal Tax Credits Innovative Vehicles	O	1,3	S-App
Energy	SB	64	Require 100% Renewable Energy By 2035	S	1,2	PI'd
Energy	HB	1107	Prewire Residence For E-vehicle Charging Port	S	2,4	S-Trans
Energy	HB	1157	Increased Reporting of Gas and Oil Incidents	S	3	H-Trans
Environmental Quality	SB	48	Protect Act Local Gov Auth Oil & Gas Facilities	S	2	PI'd
Environmental Quality	HB	1071	Regulate Oil Gas Operations Protect Public Safety	S	2,4	S-Ag
Equal Opportunity	HB	1256	Sunset Continue Civil Rights Division & Commission	S	4	H-Jud
Fiscal Policy	SB	61	Reduce The State Income Tax Rate	O	2	S-App
Fiscal Policy	HB	1201	Severance Tax Voter-approved Revenue Change	S	3	H-Fin
Gun Safety	SB	51	Prohibit Multi-burst Trigger Activators	S	2,4	S-SA
Gun Safety	SB	52	Repeal Ammo Magazine Prohibition	O	2,4	S-SA

Gun Safety	SB	97	Concealed Handgun Carry With No Permit	O	4	S-2nd Rdg
Gun Safety	HB	1015	Repeal Ammo Magazine Prohibition	O	2,4	Pl'd
Gun Safety	HB	1037	Concealed Handguns On School Grounds	O	1,2,4	Pl'd
Gun Safety	HB	1074	Deadly Force Against Intruder At A Business	O	4	Pl'd
Gun Safety	HB	1077	Penalty For Burglary Of Firearms	SIP	2,4	H-App
Health Care	SB	80	Wholesale Canadian Drug Importation Program	S	1,3	Pl'd
Health Care	SB	146	Freestanding Emer Depts Required Consumer Notices	S	2	S-2nd Rdg
Health Care	HB	1179	Prohibit Price Gouging of Prescription Drugs	S	3	H-HIE
Health Care	HB	1009	Diabetes Drug Pricing Transparency Act 2018	S	1	H-HIE
Health Care	HB	1118	Create Health Care Legislative Review Committee	S	2,3	H-App
Health Care	HB	1149	Sunset Continue Consumer Insurance Council	S	2,3	H-App
Health Care	HB	1205	Financial Relief Defray Individual Health Care Costs	S	3	H-HIE
Health Care	HB	1212	Freestanding Emergency Departments Licensure	S	3	H-HIE
Higher Ed	SB	85	Financial Incentives For Education In Rural Areas	S	1	S-App
Higher Ed	SB	87	In-state Tuition Foreign Nationals Settled In CO	S	4	H-Ed
Higher Ed	HB	1002	Rural School District Teaching Fellowship Programs	S	1,2	H-App
Higher Ed	HB	1034	Career & Technical Ed Capital Grant Program	S	4	H-App
Income Assistance	SB	7	Affordable Housing Tax Credit	S	2,3,4	H-Fin
Income Assistance	HB	1001	FAMLI Family Medical Leave Insurance Program	S	2,3	H-Fin
Income Assistance	HB	1004	Continue Child Care Contribution Tax Credit	S	2,3	H-App
Justice System	SB	18	CCJJ Criminal Sentencing Study	S	2	S-App
Justice System	HB	1029	Lowering Mandatory Parole From 5 Years To 3 Years	S	1,2,4	To Senate
Justice System	HB	1089	No Monetary Conditions Of Bond For Misdemeanors	S	3	H-Jud
Juvenile Justice	SB	154	Juvenile Planning Committee Crossover Youth Plans	S	2,4	H-Jud
Juvenile Justice	HB	1010	DHS Report Data & Add Members To Working Group	S	2,4	To Gov
Juvenile Justice	HB	1050	Competency to Proceed Juvenile Justice System	S	1,3	S-Jud
Reproductive Freedom	HB	1082	A Woman's Right To Accurate Health Care Info	O	4	Pl'd
Reproductive Freedom	HB	1225	Protect Human Life At Conception	O	4	Pl'd
Sustainability	SB	142	Pilot Project For Sustainable Communities	W	2	Pl'd
Transportation	SB	1	Transportation Infrastructure Funding	W	2,4	S-App
Voting Rights	SB	76	Ban Vote Trading	W	2,3	H-SA
Voting Rights	SB	150	Voter Regis Individuals Criminal Justice System	S	2,3	S-App

Water	SB	38	Reclaimed Water Use On Industrial Hemp	S	2	S-App
Water	HB	1053	Reclaimed Water Use For Marijuana Cultivation	S	2	H-App
Water	HB	1069	Reclaimed Water Use For Toilet Flushing	S	2	H-App
Water	HB	1093	Reclaimed Water Use For Edible Crops	S	2	H-3rd Rdg

The Legislative Letter is written by the members of the Legislative Action Committee, edited by Frank Bennett and Andrea Wilkins, and published by the Colorado League of Women Voters every two weeks during the Legislative Session. To subscribe, please contact the League Office at info@lwvcolorado.org or 303-863-0437 for information about rates and delivery.